

REMARKS

Claims 1-3, 5, 6 and 9 were rejected under 35 U.S.C. 112, first paragraph, for having new matter. The part of the claim referred to by the Examiner has been changed back to its original wording to overcome this rejection.

Claims 1, 3, 5, 6 and 9 have been rejected under 35 U.S.C. 102(b) as anticipated by Asai, et al., U.S. Patent 5,141,985 (herein '985). As pointed out in the response to the previous office action, the invention of '985 does not deal with electrical apparatus of any kind, but with ovenware. Thus in the abstract of '985 it states the composition described therein is useful for ovenware. This is also stated at col. 2, lines 45-51. Nowhere does it state that the compositions of '985 are useful for electrical or electronic apparatus wherein electrical conductors are employed carrying a voltage of 200 volts or more. As the Examiner has pointed out, at col. 1, lines 40-45 electrical apparatus is mentioned in '985, but this is clearly in the context of the properties and uses of wholly aromatic polyesters (presumably LCPs) in general, and does not refer to any specific polymer or any specific polymer containing composition. Thus '985 does not anticipate these claims.

Furthermore, "Rejections under 35 U.S.C. 102 are proper only when claimed subject matter is identically disclosed or described in prior art; in other words, all material elements recited in claim must be found in one unit of prior art to constitute anticipation;" (In re Marshall (CCPA 1978) 198 USPQ 344) The '985 patent does not mention any voltages at all, while the present claims are limited to conductors carrying a voltage of at least 200 volts.

The Examiner states that because Japanese line voltage is higher than 200 volts, this limitation is inherent in the disclosure. This is incorrect. In fact, normal line voltage found in homes and offices in Japan is 100 volts. The Examiner's attention is respectfully directed to the fact that normal line voltages in the US are often about 110 - 120 volts. Also, many of the electrical items mentioned in col. 1 are electronic devices, which may operate on low voltages. Since "Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing *may* result from a given set of circumstances is not sufficient." (In re Oelrich et al., 212 USPQ at 326 (CCPA 1981)). Thus, a conductor carrying a voltage more than 200 volts is not inherent in the '985 reference and there can be no anticipation.

Claims 1-3, 5, 6 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over '985 patent. It was pointed out in the reply (above) to the rejection under section 102 that the reference to various types of electrical/electronic apparatus mentioned in column 1 of '985 was to aromatic polyesters (LCPs) in general, and did not refer to the new compositions described in '985. There is no discussion or other indication in '985 that its composition is particularly useful in high voltage applications (or any electrical/electronic applications at any voltage) any more than any other composition containing an aromatic polyester.

Also as noted above '985 concerns a composition especially useful for cookware. "[The] Entire disclosure of reference must be considered under 35 USC 103, ..." Ex parte Anderson, (BPAI 1991) 21 USPQ2d 1241. A full reading of the '985 reference would cause one of ordinary skill in the art to conclude that the compositions disclosed therein were particularly useful for cookware, not for the fabrication of an electronic or electrical apparatus that includes a conductor carrying a voltage of 200 volts or more. Nothing within '985 even hints at this selected use, and therefore '985 does not render the present claims obvious.

NONSTATUTORY DOUBLE PATENTING REJECTIONS

Applicant hereby advises the Examiner that Applicant will file terminal disclaimers in connection with US Patent No. 6,441,074 and US Patent Application Serial No. 09/760,940 upon receiving a notice of allowability of claims in the instant application.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In showing the changes, deleted material is shown as bracketed, and inserted material is shown underlined.

IN THE SPECIFICATION:

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (thrice amended) An electronic or electrical apparatus, comprising:
a component formed from a liquid crystalline polymer composition consisting essentially of:
 - c) a thermotropic liquid crystalline polymer component which is an aromatic polyester, poly(ester-amide), poly(ester-imide), poly(ester-amide-imide), or mixtures thereof, and
 - d) 30 to 50 weight percent, based on the weight of the sum of a and b, of rutile titanium dioxide particles having a longest dimension of less than about 4 μm ; andan [pair of] electrical conductor[s having] carrying a voltage of 200 volts or more [between them].